

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 178 – HB 172

February 14, 2013

SUMMARY OF ORIGINAL BILL: Exempts from child care agency licensing requirements “Parents’ Day Out” and similar programs operated by religious institutions or religious organizations that provide custodial care and services to children of less than school age throughout the calendar week for an unlimited period of time, if no child attends the program more than two days each calendar week for not more than six hours each day; the program registers with the Department of Human Services prior to offering the service; and the program maintains and makes available to the Commissioner of Human Services, or the Commissioner’s designee, records that include, at a minimum, dates and times of each child’s attendance.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (003243): Requires each separate location or campus of a religious institution or religious organization to be considered a separate religious institution or religious organization for purposes of “Parents’ Day Out” or any similar program.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

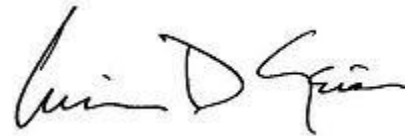
- Tenn. Code Ann. § 71-3-503(a)(6) currently exempts “Parents’ Day Out” (PDO) and similar programs operated by church institutions or church organizations from child care agency licensing requirements if the program offers custodial care and services for not more than two days in each calendar week for not more than six hours each day.
- Tenn. Code Ann. § 71-3-503(b) currently requires PDO and similar programs to post a sign stating that the facility is not required to be licensed by the state as a child care agency and to obtain from a child’s parent, custodian, or guardian a signed

acknowledgement form upon the child's initial registration with the program. Programs must still comply with these requirements under the proposed legislation.

- According to the Department, the registration requirements imposed on PDO programs by the proposed legislation are similar to those imposed on "casual care" operations pursuant to Tenn. Code Ann. § 71-3-503(a)(9).
- There are at least 159 active PDO programs in this state. A report published by the Department in October 2012 reviewed the results of an online survey of PDO programs conducted by the Department. According to the report, 159 persons responded to the survey.
- According to the Department, there is no estimate of how many PDO programs will be required to register as a result of the proposed bill.
- Designating each separate location or campus as a separate religious institution or religious organization will increase the number of PDO programs required to register with the Department and subject to records inspection by the Department.
- Any cost incurred due to receiving an increase in the number of registrations submitted to the Department and a potential increase in the number of records inspections will not be significant and can be accommodated within the existing resources of the Department without an increased appropriation or reduced reversion.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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